

REMARKS

These remarks are directed to the office action mailed March 5, 2008, setting a three month shortened statutory period for response set to expire on June 5, 2008. The office action issued by the Examiner and the citations referred to in the office action have been carefully considered.

Prompt reconsideration is requested in view of the above claim amendments and the following remarks. As indicated, amendments introduce no new matter. There is a reduction in the number of pending claims, with claims 37 and 38 being cancelled and claim 40 being added. Claims 32, 35-36, and 39-40 are now pending.

Claim Rejections under 35 USC § 112

Claims 32, 35-39 have been rejected under 35 USC §112 as failing to comply with the written description requirement. The Examiner has stated in the March 5, 2008 office action that “95% to 30% is not the concentration of the hydrocolloid composition as a whole that comprises EPDM, PIB and hydrophilic particles, it is the ratio of PIB to EPDM.” Applicant submits that such a statement is incorrect. As stated in paragraph [0070] of Applicant’s specification, “hydrocolloid formulations may be comprised of up to about 70% EPDM, up to about 95% PIB, up to about 35% tackifier, up to about 35% plasticizers and up to about 40% hydrophilic particles.” Such a statement clearly shows that 95% is the concentration of the hydrocolloid composition as a whole and not the ratio of PIB to EPDM. Therefore, Applicant submits that independent claim 32 and the claims dependent therefrom are patentable under 35 USC §112.

Claim Rejections under 35 USC § 103

Claims 32, 35-39 have been rejected under 35 USC §103(a) as being unpatentable over the combined teachings of Liao, et al. (U.S. Pat. No. 5,827,525), Balinth (U.S. Pat. No. 4,335,026), and Doyle, et al. (U.S. Pat. No. 4,551,490).

Independent claim 32 has been amended to recite a hydrocolloid composition comprising “more than 30% to about 95% polyisobutylene” and “about 20% to less than 40% hydrophilic particles.” Doyle et al. (US ‘490) teaches using 5 to 30% polyisobutylenes (column 3 line 33-34). Liao et al. (US ‘525) teaches hydrocolloid adhesives that “contain 40 to 60% hydrocolloid powders with the remaining being hydrophobic rubbers.” (column 2, lines 8-10) Liao et al. defines hydrocolloid powders as “materials that exhibit very high water absorption,” (column 2, line 11-12) essentially hydrophilic particles. Therefore, Liao et al. teaches using 40 to 60% hydrophilic particles. As stated earlier, amended claim 32 recites the hydrocolloid composition comprising **more than 30%** polyisobutylene and **less than 40%** hydrophilic particles. Thus there is no overlap between the amount of polyisobutylene and hydrophilic particles as claimed in claim 32 and the amount disclosed in Doyle et al. and Liao et al.

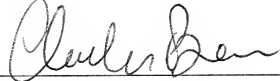
Supported in Table 3 of Applicant’s specification, claim 40 recites “the hydrocolloid composition comprises about 20% to 30% hydrophilic particles.” This amount is also clearly outside the range of 40-60% hydrophilic particles as taught by Liao et al.

Applicant submits that amended independent claim 32 teaches limitations outside what is taught or suggested by the cited references. Therefore independent claim 32 and the claims dependent therefrom are not obvious and patentable under 35 USC §103.

In view of the above, it is respectfully submitted that this application is now in good order for allowance, and such early action is respectfully solicited. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone Applicant's undersigned attorney.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 070377-010200 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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